



Amet 144C
S. Lewis
10/17/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT OPERATION

In re application
of

Inventor: Robert M. Ford
Serial No.: 09/330,446
Filed: June 11, 1999
Title: SYSTEM AND METHOD FOR MANAGING TIER-PRICED
COMMODITIES TRANSACTIONS
Art Unit: 2163
Examiner: MEINECKE DIAZ, S.

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OCT 15 2002

CERTIFICATE OF MAILING OR TRANSMISSION

GROUP 3600

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Signature

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

REMARKS

On February 28, 2002, Applicant filed a response to the Office Action mailed October 10, 2001. On April 11, 2002, a Notice of Non-Compliant Amendment was mailed requesting a marked-up version of the claims amended in the February 28, 2002, response.

Upon reviewing the February 28, 2002, response, Applicant has noticed that the numbering of the claims in that response was incorrect and that claims 1 and 10 have been amended twice. Although the Notice of Non-Compliant Amendment states that the Applicant need not resubmit the entire amendment, Applicant chooses to resubmit the amendment, correcting the

Accordingly, attached hereto is a corrected February 28, 2002, response, including a marked-up version of the changes made to the claims, attached as Attachment 1.

Reconsideration of the subject application is respectfully requested based on the amendments and Remarks included with the February 28, 2002, response.

Respectfully submitted,
Kaye Scholer LLP

By



Gregory P. Silberman
Reg. No. 39,836



10-0301

2/13/01

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **26**

Application Number **09/330,446**

Filing Date **06/11/1999**

First Named Inventor **FORD, Robert**

Group Art Unit **2163**

Examiner Name **MEINECKE DIAZ, S**

Attorney Docket Number **23312 - 1001**

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

Remarks

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Gregory P. Silberman Reg. No. 39,836
Signature	
Date	October 2, 2002

CERTIFICATE OF MAILING

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Typed or printed name	David S. Chametzky
Signature	
Date	October 2, 2002

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$980.00)

Complete if Known

Application Number 09/330,446

Filing Date 06/11/1999

First Named Inventor FORD, Robert

Examiner Name MEINECKE DIAZ, S.

Group Art Unit 2163

Attorney Docket No. 23312 - 1001

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METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-0988

Deposit Account Name Kaye Scholer LLP

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	980.00
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$ 980.00)

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Gregory P. Silberman	Registration No. (Attorney/Agent)	39,836	Telephone	(212) 836 - 8773
Signature				Date	October 2, 2002

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